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ATTORNEYS FOR THE UNITED STATES

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLIVEN BUNDY,

Defendant.

No. 2:12-cv-804-LDG-GWF

**DECLARATION OF
JESUS NAVARRO**

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I, Jesus Navarro, do declare as follows:

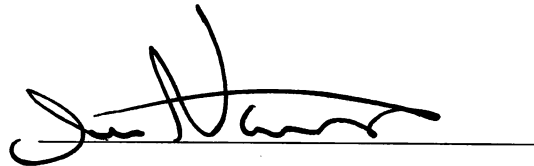
1. I am currently a Law Enforcement Ranger for the Bureau of Land Management (BLM) Southern Nevada District Office (SNDO) located in Las Vegas, Nevada. I have served in

this position since 2001. From 1995-2001, I served as an Immigration Officer attached to the Border Patrol. I am familiar with the Gold Butte Area, the surrounding Mesquite area, and its citizens through my official duties and because I also reside near this area.

2. My normal duties are to patrol the public lands, enforce federal laws and regulations on those lands, and to protect federal land resources.
3. I am primarily assigned to law enforcement activities in the Moapa Valley, south of the Gold Butte area. From time to time when the BLM Mesquite Resident Ranger is unavailable or requires additional assistance, I am assigned patrols of the Gold Butte Area (including the Virgin River basin) and/or the adjacent public lands.
4. Based on my experience working for the SNDO since 2001, I am aware that there is no authorized grazing within most of the Gold Butte Area and I know which areas have no authorized grazing.
5. I have observed cattle grazing on public lands within the Gold Butte Area without authorization during prior patrols of the Gold Butte area, but I have not previously documented those observations.
6. On July 24, 2012, my Supervisory Law Enforcement Officer directed all of the law enforcement officers in the SNDO to document any observations of unauthorized grazing within the Gold Butte area that we might find during our patrols. If we saw trespass cattle, we were directed to document the cattle and get the following information: GPS coordinates, a brief description of the location, date and time of observation, total number of animals present, and how many had identifying earmarks or brands, and how many were unidentifiable. We were also directed to take photographs of the unauthorized cattle. To assist in identifying ownership markings, I received a picture from my Supervisor showing the earmarks and brand registered to Cliven Bundy.
7. On July 31, 2012, I was assigned to patrol the Gold Butte area. I was on patrol for a total of approximately 3 hours within this area. My patrol route was primarily within the Virgin River Basin. During my patrol, I observed a total of approximately 57 cattle grazing on the public lands managed by SNDO that are closed to grazing. These cattle were spread out over an area of approximately 9 miles within the Virgin River Basin where I was patrolling.
8. Consistent with the direction I had received from my Supervisor, I kept a record during the July 31, 2012 patrol of: the time (hour) I observed the cattle, the number of cattle, any general location information, noted whether I found any ownership identifying marks, and took a GPS reading for that location. There were a total of ten discrete locations where I found unattended cattle on the public lands and followed this process. I also took a photograph of the cattle I observed for each of the ten sites. See Attachment A: Photographs of Cattle Sightings; Attachment C: Map of Cattle Sightings.

9. The ten locations where I documented livestock were all within the former Bunkerville Allotment, as confirmed after the GPS coordinates were plotted on a map. See Attachment B: Map of Cattle Sightings. There is no authorized grazing within the former Bunkerville Allotment and therefore all cattle I observed on July 31, 2012 were grazing without authorization. All of the cattle I observed were also unattended and there were no barriers to their moving freely on the public lands.
10. All of the cattle I observed were either grazing or resting along on the banks of the Virgin River. Based on my visual observations of the cattle, some of the cattle did not look healthy. One cow was limping, others had ribs evident, indicating possible undernourishment.
11. I observed one cow with a Cliven Bundy earmark at one site: Site #1. See Attachment B at photographs 1. I was not able to approach any other cattle at these sites or any of the cattle at the other sites close enough to observe whether they had an earmark or brand.
12. Within the next couple of days when I was back in the office, I printed off the photographs, and included the information from my observations and GPS coordinates for my July 31, 2012 patrol. See Attachment B.
13. I have not patrolled the Gold Butte Area since July 31, 2012, although I have been in the area for other assignments, most recently on October 16, 2012 to provide security while unauthorized cattle that had entered a fenced restoration site on the public lands in the Gold Butte Area were being shoo'ed out.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct. Signed this 7th day of November, 2012, in Las Vegas, Nevada.

A handwritten signature in black ink, appearing to read 'Jesus Navarro', written over a horizontal line.

Jesus Navarro

ATTACHMENT A TO DECLARATION BY Jesus Navarro

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CATTLE COUNT FOR THE DATE OF JULY 31, 2012



July 31, 2012

1455 hours

SR 170 in the Virgin River

5 cattle with 1 with Bundy ear marks identifiable, plus 1 calve.

N36.45.08.3 W114,09.40.5



July 31, 2012

1515 hours

SR 170 in the Virgin River

2 cattle unidentifiable.

N36.44.21.5 W114.11.17.9



July 31, 2012

1525 hours

SR 170 in the Virgin River

5 unidentifiable plus 4 calves.

N 36.44.19.8 W114.11.49.2



July 31, 2012

1545 hours

SR 170 in the Virgin River

2 unidentifiable.

N 36.44.17.0 W114.11.46.1



July 31, 2012

1559 hours

SR 170 in the Virgin River

3 unidentifiable.

N 36.44.19.6 W114.11.48.8



July 31, 2012

1615 hours

SR 170 in the Virgin River

20 cattle unidentifiable plus 4.

N36.43.55.1 W 114.12.36.5



July 31, 2012
1630 hours
Gold Butte Road, Virgin River
2 cattle unidentifiable.
N36.40.46.9 W114.17.39.9



July 31, 2012

1647 hours

Gold Butte Road, Virgin River

3 cattle unidentifiable plus 1 calve.

N36.40.45.9 W114.17.38.9



July 31, 2012

1659 hours

Gold Butte Road, Virgin River

4 cattle unidentifiable.

N36.40.46.9 W114.17.37.9



July 31, 2012

1717 hours

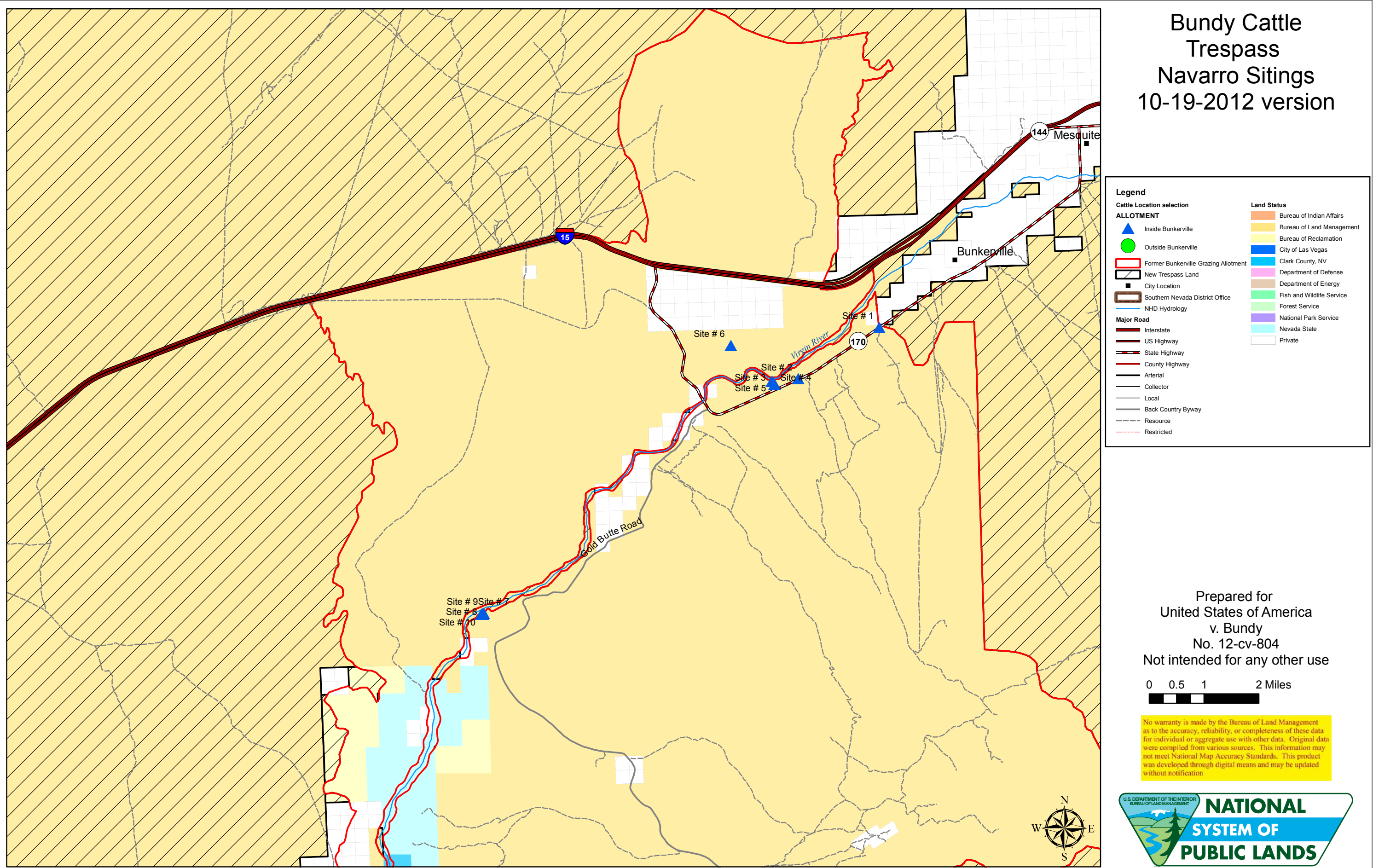
Gold Butte Road, Virgin River

1 cattle unidentifiable.

N36.40.45.9 W114.17.40.9

ATTACHMENT B TO DECLARATION BY Jesus Navarro

United States v. Bundy, No. 2:12-cv-804-LDG-GWF



ATTACHMENT C TO DECLARATION BY Jesus Navarro

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